



Reprinted
April 6, 2005

ENGROSSED SENATE BILL No. 125

DIGEST OF SB 125 (Updated April 5, 2005 11:34 am - DI 97)

Citations Affected: IC 27-7; noncode.

Synopsis: Commercial liability insurance. Specifies that the law requiring an insurer to make available uninsured motorist and underinsured motorist coverage does not apply to the issuance of certain liability insurance policies. Requires the department of insurance to report certain information concerning commercial uninsured motorist and underinsured motorist coverage to the legislative council.

Effective: July 1, 2005.

Ford

(HOUSE SPONSOR — RIPLEY)

January 4, 2005, read first time and referred to Committee on Insurance and Financial Institutions.

February 3, 2005, reported favorably — Do Pass.

February 7, 2005, read second time, ordered engrossed.

February 8, 2005, engrossed. Read third time, passed. Yeas 49, nays 1.

HOUSE ACTION

March 7, 2005, read first time and referred to Committee on Insurance.

March 31, 2005, amended, reported — Do Pass.

April 5, 2005, read second time, amended, ordered engrossed.

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ES 125—LS 6737/DI 97+



Reprinted
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First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

ENGROSSED SENATE BILL No. 125

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 27-7-5-1.5 IS ADDED TO THE INDIANA CODE
2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2005]: **Sec. 1.5. (a) As used in this section, "commercial vehicle**
4 **policy" means an insurance policy that provides coverage for at**
5 **least one (1) of the following:**

6 (1) **A motor vehicle that is rated or insured as a business or**
7 **commercial vehicle.**

8 (2) **A motor vehicle that is licensed by the state as a**
9 **commercial vehicle.**

10 (3) **A commercial motor vehicle business, including an:**

11 (A) **individual who; or**

12 (B) **entity that;**

13 **is in the business or occupation of selling, repairing, servicing,**
14 **storing, or parking motor vehicles, including a business that**
15 **is a commercial garage operation, an automobile sales entity,**
16 **a motor vehicle repair entity, a motor vehicle service station,**
17 **or a public parking operation.**

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(4) A motor vehicle that is used as a public or private livery or a rental conveyance.

(5) A motor vehicle that is owned or used by a named insured that is not a natural person.

(b) This chapter does not require an insurer to make available uninsured motorist or underinsured motorist coverage described in section 2 of this chapter in connection with the issuance of a:

(1) commercial liability policy, including a commercial vehicle policy;

(2) commercial umbrella or excess liability policy;

(3) commercial liability policy that provides hired or nonowned motor vehicle liability coverage; or

(4) commercial liability policy that provides limited or incidental coverage for liability arising out of the ownership, maintenance, operation, or use of a motor vehicle, including a motor vehicle that is:

(A) not subject to motor vehicle registration; and

(B) not intended or designed to be used on a public roadway.

SECTION 2. [EFFECTIVE JULY 1, 2005] (a) The department of insurance shall, not later than December 31, 2007, assess and report to the legislative council in an electronic format under IC 5-14-6 the:

(1) market availability of;

(2) competition for; and

(3) sales since June 30, 2005, of;

commercial uninsured motorist and underinsured motorist coverage in Indiana on July 1, 2007.

(b) This SECTION expires January 1, 2008.

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COMMITTEE REPORT

Madam President: The Senate Committee on Insurance and Financial Institutions, to which was referred Senate Bill No. 125, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 125 as introduced.)

PAUL, Chairperson

Committee Vote: Yeas 10, Nays 1.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Insurance, to which was referred Senate Bill 125, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, delete lines 20 through 42.

Delete pages 3 through 4.

and when so amended that said bill do pass.

(Reference is to SB 125 as printed February 4, 2005.)

RIPLEY, Chair

Committee Vote: yeas 7, nays 2.

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HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 125 be amended to read as follows:

Page 2, after line 19, begin a new paragraph and insert:

"SECTION 2. [EFFECTIVE JULY 1, 2005] **(a) The department of insurance shall, not later than December 31, 2007, assess and report to the legislative council in an electronic format under IC 5-14-6 the:**

(1) market availability of;

(2) competition for; and

(3) sales since June 30, 2005, of;

commercial uninsured motorist and underinsured motorist coverage in Indiana on July 1, 2007.

(b) This SECTION expires January 1, 2008."

(Reference is to ESB 125 as printed April 1, 2005.)

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